

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

STATE OF VERMONT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:21-cv-260
	)	
EXXON MOBIL CORPORATION,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Pending before the Court is the State of Vermont's motion to remand. The Second Circuit's recent decision in *State of Connecticut v. Exxon Mobil Corp.*, 83 F.4th 122 (2d Cir. 2023) (hereinafter "*Connecticut*") addressed several of the issues raised by the parties with respect to the question of remand. Defendants propose that the State of Vermont re-file its motion in light of the *Connecticut* decision. Defendants also propose another full round of briefing. The State contends that all issues have been fully briefed and that there is no need for additional filings.

The Court agrees with the State of Vermont that re-filing its motion to remand is unnecessary. The Court also acknowledges that the *Connecticut* ruling overlapped with some, though not all, of the issues raised here. The Court therefore invites additional briefing from the parties regarding the

extent to which *Connecticut* impacts this case. Of particular interest to the Court is the *Connecticut* decision's citation to *Grable and Sons Metal Products, Inc. v. Darue Engineering & Manufacturing*, 545 U.S. 308 (2005), as well as the question of whether Defendants are asserting preemption as a basis for jurisdiction.

Additional briefing may be filed with the Court on or before January 5, 2024.

SO ORDERED.

DATED at Burlington, in the District of Vermont, this 5<sup>th</sup> day of December, 2023.

/s/ William K. Sessions III  
William K. Sessions III  
U.S. District Court Judge